

Robert Anderson
Senior Vice President
Science & Technology

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*get back to Helen
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February 7, 1997

VIA FACSIMILE

Jane N. Saginaw
Regional Administrator
US Environmental Protection Agency Region VI
1445 Ross Avenue
Dallas, Texas 75202

Re: ***Westbank Asbestos Site - Marrero, LA;
Urgent Request for Expedited Meeting***

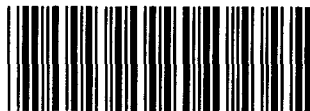
Dear Ms. Saginaw:

Several weeks ago Richard Worrell of your Superfund Cost Recovery Section called Schuller to verify that Bruce D. Ray, as Senior Environmental Counsel for the company, was the appropriate person to whom to send notices concerning the Westbank Site. Mr. Worrell informed us that site remediation activities were underway and that Schuller was considered a PRP at the site. Despite the fact that Region VI began its studies of the Site in 1989, Schuller had not received any prior notice regarding this site. Since Mr. Worrell's call, we have been trying to contact the OSC, John Martin, to obtain basic information about the site.

Yesterday, representatives for Schuller were finally able to initiate a discussion with EPA technical and legal staff assigned to the Westbank Site. The information we received from EPA in our call yesterday has caused us great alarm. We are extremely concerned that this removal action, which will cost tens of millions of dollars, is not only plainly inconsistent with longstanding EPA national policy regarding asbestos sites but that the intrusive removal activities may actually be causing a great deal more risk than the small risk they are intended to mollify.

We were informed that this is a time critical removal action based on a finding of imminent and substantial endangerment. Contrary to EPA policy and what is typically done at other sites, no actual air monitoring data were relied on in making this determination; on the contrary, all high-volume air sampling data to date revealed asbestos fibers present in the air in amounts below the detection limit and many orders of magnitude below regulatory levels. This is not surprising given the fact that the fibers are part of a cement matrix. We also understand that no endangerment assessment or risk assessment have yet been performed.

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February 7, 1997
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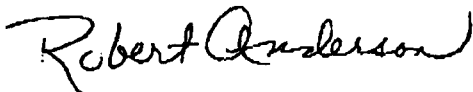
Despite this lack of data, we understand that EPA intends to somehow break up and excavate asbestos-containing cement building materials at least 750 individual sites in the Westbank area near New Orleans. As of yesterday these excavations have been completed at the approximately 20% of the 750 sites which in EPA's judgment pose the greatest threat. We are very concerned that these demolition and excavation activities could very well result in the very fiber release the actions are intended to eliminate. Even though wetting precautions are being taken at Westbank, fiber release could very well occur. In fact, our company has conducted CERCLA-type remediation activities at several large asbestos sites and it has been our universal experience that EPA strongly prefers not to move the waste off-site for disposal. For example, at the "Johns-Manville CERCLA NPL Site" in Waukegan, Illinois, excavation and off-site disposal alternatives were studied in the RI/FS and rejected by EPA in part because the risk assessment showed significantly higher risk in excavation as opposed to on-site capping.

This risk-based preference for on-site capping (with the asbestos NESHAPs as an obvious ARAR) is not limited to the traditional landfill setting. Capping was also directed by EPA in 1982 at residential sites in New Hampshire under facts and conditions quite similar to the Westbank site. In that instance cement-like materials containing asbestos were made available to individuals for use as fill material for house foundations and other in-ground uses. After much study of the risk of various remedial alternatives, EPA ordered capping be performed at over 200 individual sites, many of which were in front yards of residences and in public rights of way. Institutional controls accompanied the capping.

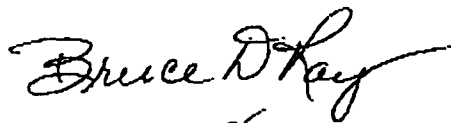
We sincerely believe that Region VI may have overlooked significant potential risk in selecting the excavation remedy for these sites. To be sure, this oversight must have been quite unintentional but there still remain very real questions as to whether EPA is doing the right thing for the Westbank residents. Since Schuller has been informed that it is a PRP for the site, we also have great concern that the selected remedy is unnecessary and extremely cost ineffective. Accordingly, we request in the most urgent terms that we meet with you and your staff as soon as possible. We regard this issue as the most important environmental issue currently facing our company and we are prepared to clear our calendars so that we can meet with you as soon as your schedule permits - we hope in a matter of days.

Please contact Bruce Ray, Senior Environmental Counsel, at 303/978-3527 to inform us of your earliest possible meeting date.

Sincerely,



Robert Anderson, M.D.
Senior Vice President



Bruce D. Ray
Senior Environmental Counsel